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Atty. Dkt. No. 040356-0596

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Atsushi OHMA et al.

Title: FUEL CELL

Appl. No.: 10/594,385

International 2/17/2005

Filing Date:

371(c) Date: 09/27/2006

Examiner: Ashley M. Kwon

Art Unit: 1795

Confirmation 9441

Number:

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of a document known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed document is being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

**RELEVANCE OF EACH DOCUMENT**

The documents listed on the attached PTO/SB/08 are in English, and was cited as being relevant during the prosecution of the Canadian application. A copy of the Canadian Office Action is attached setting forth the portion of each document considered relevant by the examiner.

The remaining documents cited in the attached Canadian Office Action were previously cited in an Information Disclosure Statement filed on September 27, 2006, therefore, these documents are not submitted herewith.

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required, the Commissioner is hereby authorized to charge any additional fees which may be due to Deposit Account No. 19-0741.

Respectfully submitted,

Date MAY 8 2009

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